



PATENTS
ELM-1 Cont.9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : Glenn J. Leedy
Application No. : 10/665,757 Confirmation No. : 6828
Filed : September 19, 2003
For : METHOD OF MAKING AN INTEGRATED CIRCUIT
(AS AMENDED)
Art Unit : 2822
Examiner : Pamela E. Perkins

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b,c)

Sir:

ELM TECHNOLOGY CORPORATION, a corporation of the State of Wyoming, having an office and place of business at 8010 Bethel Church Road, Saline, Michigan 48176, is the assignee of record of the entire, right, title and interest, by assignment, of the following United States patent and pending patent application:

1. Patent 6,682,981, issued January 27, 2004 on Application No. 09/775,597 for "STRESS CONTROLLED DIELECTRIC INTEGRATED CIRCUIT FABRICATION," filed February 5, 2001. An assignment of the '597 application by the inventor to ELM TECHNOLOGY CORPORATION was recorded on June 2, 2003 at Reel 14126, Frames 960-961.

2. Application No. 10/665,757, filed September 19, 2003 as a continuation of copending Application No. 09/775,597, filed February 5, 2001. The assignment of the '597 application also is effective for the '757 application as a continuation.

The undersigned, on behalf of ELM TECHNOLOGY CORPORATION, hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 10/665,757, which would extend beyond the expiration date (currently April 8, 2012*) of the full statutory term of U.S. Patent 6,682,981.

The undersigned, on behalf of ELM TECHNOLOGY CORPORATION, agrees that any patent to be issued on the present Application No. 10/665,757 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said U.S. Patent 6,682,981, this agreement to run with any patent to be issued on Application No. 10/665,757 and to be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of ELM TECHNOLOGY CORPORATION, does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 10/665,757, that would extend to the expiration date (currently April 8, 2012*) of the full statutory term of U.S. Patent 6,682,981, in the event that U.S. Patent 6,682,981: (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally

* It is applicant's and assignee's intention that if any change in the patent statutes changes the expiration date of parent patent 6,682,981, or if parent patent 6,682,981 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of the parent patent.

disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

1. He is an officer of assignee corporation ELM TECHNOLOGY CORPORATION and is authorized to act on behalf of assignee corporation in connection with said application; and

2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's knowledge and belief, title to the above-identified Application No. 10/665,757 is in assignee.

ELM TECHNOLOGY CORPORATION

12-9-2005
Date

By:

Glenn J. Leedy